

2022 Regular Session

HOUSE BILL NO. 89

BY REPRESENTATIVE MIKE JOHNSON

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of the consent judgment against the state in the suit entitled State Farm Mutual Automobile Ins. Co. and Alvin McMillian v. City of New Orleans, et al.

1 AN ACT

2 To appropriate monies out of the state general fund for Fiscal Year 2021-2022 to be used to  
3 pay the consent judgment captioned "State Farm Mutual Automobile Insurance  
4 Company and Alvin McMillian versus the City of New Orleans, Sewerage and Water  
5 Board of New Orleans, and the State of Louisiana through the Department of  
6 Transportation and Development" between the state of Louisiana, through the  
7 Department of Transportation and Development, and State Farm Mutual Automobile  
8 Insurance Company as subrogee of Alvin McMillian; to provide for an effective  
9 date; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. The sum of One Thousand Five Hundred and No/100 (\$1,500) Dollars  
12 is hereby payable out of the State General Fund (Direct) for Fiscal Year 2021-2022 for  
13 payment of the consent judgment captioned "State Farm Mutual Automobile Insurance  
14 Company and Alvin McMillian versus the City of New Orleans, Sewerage and Water Board  
15 of New Orleans, and the State of Louisiana through the Department of Transportation and  
16 Development", signed on November 4, 2020, between the state of Louisiana, through the  
17 Department of Transportation and Development, and State Farm Mutual Automobile  
18 Insurance Company as subrogee of Alvin McMillian, bearing Number 2015-9647, Division  
19 C-10, on the docket of the Civil District Court for the Parish of Orleans, state of Louisiana.

1           Section 2. The judgment may only be paid from this appropriation if it is final and  
 2 shall be paid as to principal, interest, court costs, and expert witness fees as awarded in the  
 3 judgment. If the provisions of the judgment conflict with the provisions of this Act, the  
 4 provisions of the judgment shall be controlling. Any other provision of this Act not in  
 5 conflict with the provisions of the judgment shall control. Payment shall be made only after  
 6 presentation to the state treasurer of documentation required by the state treasurer. Further,  
 7 the judgment shall be deemed to have been paid on the effective date of this Act, and interest  
 8 shall cease to run as of that date.

9           Section 3. This Act shall become effective upon signature by the governor or, if not  
 10 signed by the governor, upon expiration of the time for bills to become law without signature  
 11 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 12 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 13 effective on the day following such approval.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 89 Original

2022 Regular Session

Mike Johnson

Appropriates \$1,500 out of the State General Fund (Direct) for FY 2021-2022 for payment of the consent judgment entitled State Farm Mutual Automobile Insurance Company and Alvin McMillian versus the City of New Orleans, Sewerage and Water Board of New Orleans, and the State of Louisiana through the Department of Transportation and Development, bearing No. 2015-9647, Division C-10, on the docket of the Civil District Court for the Parish of Orleans.

Proposed law provides relative to payment. Provides relative to conflicts between the judgment and proposed law. Prohibits accrual of interest on the judgment as of the effective date of proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.